

Charities (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Clauses.

1. Short title.
2. Interpretation of terms.
3. Definition of "poor person."
4. Abolition of wardens and appointments to committee in their place.
5. Issue and cancellation of medical relief tickets.
6. Liability for improper issue of medical relief tickets.
7. Power for relieving officer to issue special medical relief tickets.
8. Posting of notices. *
9. Examination of alleged lunatics.
10. Superannuation of old or infirm medical officers.
11. Contracts for drugs to be submitted to Local Government Board.
12. Examination of drugs and inspection of dispensaries.
13. Samples of drugs to be taken for examination.
14. Power to Local Government Board to cancel contracts and direct prosecution.

SCHEDULES.

A

B I L L

TO

Amend the law relating to Charities in Ireland.

A.D. 1880.

WHEREAS it is expedient to amend the Act relating to the management of medical charities in Ireland :

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. This Act may be cited for all purposes as the Medical Charities (Ireland) Amendment Act. Short title.

2. All liabilities and responsibilities imposed by this Act upon any person in respect of the attendance of a medical officer shall be considered to be imposed upon the person who is liable by law to maintain such person. Interpretation of terms.

3. The term "poor person," wherever it occurs in the Act passed in the fourteenth and fifteenth years of the reign of Her Majesty, intituled *An Act to provide for the better distribution, support, and maintenance of medical charities in Ireland, and to amend an Act of the eleventh year of Her Majesty, to provide for the execution of the laws for relief of the poor in Ireland*, or in this Act, shall be held to signify a person who is not possessed of such property or other qualification as would entitle a man to be registered as a voter in an election for a member of Parliament; or a person who is not legally entitled to be maintained by any person possessing such property or other qualification; or a person whom the justices at petty sessions shall judge not to be in receipt of income sufficient in amount to enable him to pay for medical advice and medicines. Definition of "poor person."

4. The office of warden in a dispensary district is hereby abolished, and all persons acting as wardens at the passing of this Act shall thereupon cease to hold such office; and it shall and may be lawful for the board of guardians of the union in which the dispensary district is situate to appoint from time to time to be members of any dispensary committee any persons residing within the district who are not qualified for election as members of said committee under the provisions of the seventh section of the said Act of the fourteenth

[Bill 78.]

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A.D. 1850.

Issue of
medical
relief tickets,
and cancell-
ing of same.
Repeal of
14 & 15 Vict.
c. 69, s. 9.

and fifteenth years of Her Majesty: Provided always, that the persons so appointed shall not exceed in number one fourth of the members holding said office otherwise; and shall hold office during the pleasure of the Local Government Board, and no longer.

5. The ninth section of the said Act of the fourteenth and fifteenth years of Her Majesty shall be and is hereby repealed; and it is hereby enacted that every member of a dispensary committee, and every relieving officer acting for an electoral division included in such dispensary district, shall have power to afford medical relief by the issue of a ticket, in such form as the Local Government Board for Ireland shall prescribe, filled up and signed by said member or relieving officer, and addressed to the medical officer of the district, directing him to afford medicine and advice to, or to attend any poor person resident therein; and it shall be the duty of the medical officer to afford medicine and advice or so attend such poor person as thereby directed, as long as said ticket may remain in force: Provided always, that in case it shall appear to the medical officer that the person on whose behalf such ticket has been presented is not a poor person within the meaning of this Act, it shall be lawful for such medical officer to apply to a justice or justices, sitting at petty sessions for the district in which the dispensary is situated, or to the dispensary committee, to have said ticket cancelled on the ground aforesaid; and the said justice or justices, or dispensary committee, if they consider that such person is not a poor person within the meaning of this Act, shall forthwith issue, in the form contained in the Schedule A. to this Act, an order cancelling said ticket, copies of which order shall be forthwith served upon the medical officer, and upon the honorary secretary of the dispensary committee, and upon the person for whom said ticket was issued; and thereupon it shall cease to be the duty of the medical officer to afford medicine, medical attendance, or advice to said person, except as herein-after provided, until after the lapse of three calendar months from the date of the order of said justice or dispensary committee, and then only upon the issue of a new ticket: Provided always, that in case it shall appear to the relieving officer for the dispensary district that the person named in the ticket so cancelled has, before the lapse of said period of three months, become a "poor" person within the meaning of this Act, it shall be lawful for the said relieving officer to issue a new ticket for the medical relief of said person, upon receipt of which the medical officer shall afford such relief, and the relieving officer shall make, to the next meeting of his board of guardians, a special report of the circumstances under which said ticket has been granted.

A.D. 1880.

6. The Local Government Board may by their sealed order remove from office any member of a dispensary committee, or any relieving officer who shall knowingly or wilfully issue a medical relief ticket to a person who is not a poor person within the meaning of this Act; and it shall be lawful for the medical officer who shall have received such ticket, and who shall have procured a justice's order or order of dispensary committee for the cancelling of such ticket, to proceed against such member for the recovery of such fees for his attendance upon the person for whom the ticket may have been issued, as the medical officer would be entitled to in case such person had been attended by him as a private patient.

Liability for improper issue of tickets.

7. If on application to a member of a dispensary committee, or to a relieving officer for medical relief, the fitness of the person on whose behalf such application is made to receive such medical relief gratuitously appears to such member or relieving officer to be doubtful, the relieving officer acting for such dispensary district shall have power to afford medical relief provisionally by the issue of a special medical relief ticket in such form as the Local Government Board for Ireland shall prescribe, filled up and signed by such relieving officer and addressed to the medical officer of the district, directing him to afford medicine and advice to or to attend such person resident therein, and it shall be the duty of the medical officer to afford medicine and advice to or to attend such person as thereby directed as long as such ticket may remain in force: Provided always, that such relieving officer shall not issue such a ticket to the person applying for the same unless such person shall sign an undertaking in such form as the Local Government Board for Ireland shall prescribe to pay upon demand to the guardians of the union in which such dispensary district is situated such sum for the fee or fees of the medical officer to whom such ticket shall be directed as such medical officer would be entitled to in case the person obtaining such medical relief had been attended by him as a private patient, and the amount of such fee or fees shall be recoverable from the person to whom such ticket shall be issued, or from the person to whom such medical relief shall be given, or from those liable by law to maintain such person by the said guardians of the union by the same ways and means as the cost of relief given by way of loan is recoverable under the Acts in force for the relief of destitute poor in Ireland; and all such sums, or any part thereof which shall be recovered, shall be paid over to the medical officer to whom such ticket shall have been directed.

Power for relieving officer to afford medical relief provisionally.

8. The Local Government Board for Ireland shall, as soon as may be after the passing of this Act, cause printed notices, in the

Posting of notices as to the pro-

[78.]

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A.D. 1880.
—
visions of
this Act.

form set forth in the Schedule B. to this Act, to be placed in a conspicuous place outside each dispensary in Ireland, and shall cause same to be maintained in a legible state for the information of the public.

Examination
of lunatics.
Repeal of
18 & 14 Vict.
c. 68, s. 15,
and 38 & 39,
Vict. c. 67,
s. 14.

9. The fifteenth section of the said Act of the fourteenth and 5
fifteenth years of Her Majesty, so far as it refers to the examina-
tion and certifying of lunatics, and also the fourteenth section of
the Act passed in the thirty-eighth and thirty-ninth years of the
reign of Her Majesty, chapter sixty-seven, shall be and are hereby
repealed; and be it enacted that it shall be the duty of any 10
medical officer of a dispensary district under this Act, or (if more
than one) then the nearest of such medical officers, save in the case
of his sickness or necessary absence, and then the other nearest of
such medical officers, to examine and certify as to the case of any
person alleged to be a lunatic on whose behalf he may have received 15
a medical relief ticket, or as to the case of any person whom he may
be summoned to examine, under the provisions of the Act passed
in the thirtieth and thirty-first years of the reign of Her Majesty,
chapter one hundred and eighteen, section ten; and notwithstanding
anything contained in said section, the medical officer shall be 20
entitled to receive from the board of guardians of the union to
which such person belongs, for his remuneration, a fee not less than
one pound one shilling, nor exceeding *two pounds two shillings*, and
also any other reasonable expenses incurred in or about the exam-
ination of such person. All moneys so ordered to be paid by 25
the guardians of such union shall respectively be advanced, paid,
and raised in like manner as any other moneys required for sup-
porting and maintaining the destitute poor of such union.

Super-
annuation
of aged or
infirm medi-
cal officers.

10. The Act passed in the thirty-second and thirty-third years of
the reign of Her Majesty, intituled "An Act to provide for superan- 30
"nuation allowances to medical officers of poor law unions and of
"dispensary districts of such unions in Ireland," is hereby repealed;
and be it enacted that whensoever it shall appear to the Local Govern-
ment Board for Ireland, upon the memorial of such officer, or upon 35
other information, that any medical officer of a union workhouse or of
a dispensary district in Ireland is incapable of effectively discharging
his duty in either capacity by reason of old age, such age exceeding
sixty years, or from infirmity, or ill-health of mind or of body, the
said Board shall require such medical officer to present himself 40
before a medical board for the purpose of examination. Such
medical examining board shall consist of the medical commissioner
of the Local Government Board for the time being, together with two
other registered medical practitioners in actual practice nominated

A.D. 1880.

by said Board, but not holding any other office under said Board, and it shall be their duty to decide by examination of said medical officer, and upon consideration of the nature and extent of his duties as union workhouse medical officer, or as dispensary medical officer, or other office held by him in virtue thereof, whether he is incapacitated from the effectual discharge of his duties in all or any of said offices by reason of the causes aforesaid; and if upon report of the said medical examining board it shall appear to the Local Government Board that the said medical officer is so incapacitated, the Local Government Board shall direct that he shall cease to hold all or any of said offices; and he shall be thereupon held to have vacated such offices; and the Local Government Board, upon consideration of the age and length of service of said officer, and the nature and extent of his duties therein, and all other circumstances bearing thereon, shall grant to such officer, in respect of each of the offices from which he may be thus removed, a yearly allowance not exceeding two thirds of the salary and emoluments received by him in respect of such offices. Such allowance shall be paid to said medical officer for the term of his natural life by the board of guardians of the union in which he may have held such offices, and shall be charged to the same fund as that from which the salary of such officer was previously paid; and such allowance shall be payable to or in trust for such officer only, and shall not be assignable nor chargeable with his debts or other liabilities.

11. A contract made by any board of guardians in Ireland for the supply of drugs, medicines, chemical preparations, surgical appliances, or other matters necessary for the medical or surgical treatment of the sick poor, shall not be valid or binding until same shall have been laid before the Local Government Board for Ireland, and approved by them, anything to the contrary in any Act of Parliament notwithstanding.

Drug extracts to be submitted to Local Government Board.

12. The Local Government Board for Ireland shall, within three months of the passing of this Act, appoint at such salary not exceeding six hundred pounds per annum as the said Board shall fix, a fit and proper person, skilled in the examination and analysis of drugs, who shall be a member of a pharmaceutical society or a licentiate of an apothecaries company within the United Kingdom, and not directly or indirectly engaged in the sale of drugs. The person so appointed shall devote his entire time to the duties of the office and shall be styled the examiner of drugs, and it shall be his duty to examine into the quality of the drugs, medicines, chemical preparations, and appliances which may be supplied to boards of

Examination of drugs and inspection of dispensaries, &c.

A.D. 1880. — guardians in Ireland, and into the prices charged for same, and to report on same to the Local Government Board. The Local Government Board shall appoint as many persons as they may see fit, who shall not be engaged directly or indirectly in the sale of drugs and at such salaries not exceeding *three hundred pounds per 5* annum each as they see fit, who shall be styled "inspectors of pharmacies," and whose duty it shall be to visit and inspect the pharmacies of all dispensaries and union workhouses within the district which may be assigned to them, and to report to the Local Government Board as to the suitability in all respects of such 10 premises, and of the articles kept in such premises, for the medical relief of the sick poor. *The salaries of the examiner of drugs and of said inspectors of pharmacies shall be defrayed out of the moneys to be granted by Parliament for that purpose.*

Samples of drugs, &c. to be taken for examination.

13. In case an inspector of pharmacies shall have reason to 15 suspect that any drug, or medicine, or chemical preparation used in a dispensary or union pharmacy within his district is not of a quality fit and proper for the medical or surgical relief of the sick poor, he shall forthwith take from the stock of such article three samples sufficient in quantity for examination, and shall seal up the 20 same in suitable enclosures, one of which samples he shall send forthwith to the examiner of drugs for examination, and the others of which he shall deposit with the clerk of the union in which such dispensary or union workhouse is situated, who shall keep same safely and unopened, and send one of them to the contractor who 25 supplied said article, upon being required in writing by said contractor so to do.

Local Government Board to cancel contracts or direct prosecution.

14. In case the Local Government Board shall upon such report consider that the drugs or other articles so supplied are not of such quality as is fit and proper for the medical and surgical treatment 30 of the sick poor, it shall be lawful for them, under their sealed order addressed to the board of guardians, to direct that the contracts under which such articles were supplied shall be cancelled, or that drugs of good quality shall be obtained, at the expense of the contractor, from some other person; or that a suit for breach 35 of contract be instituted by said board of guardians against said contractor. All expenses of any suit so directed shall be paid out of the funds in the hands of the board of guardians instituting such suit.

SCHEDULE A.

A.D. 1880.

ORDER FOR CANCELLING MEDICAL RELIEF TICKETS.

To the hon. secretary of the committee of management, and to [the medical
officer of the dispensary district, and to the person herein
named.

By virtue of the provisions of the fifth section of the Medical Charities
(Ireland) Amendment Act, [the justices of the peace at
petty sessions] [or the committee of management of the
dispensary] do hereby cancel and annul the ticket for medical relief granted
to

(Signed)

[Justices presiding at petty sessions.]
[Or the chairman of the committee of management
of the dispensary district.]

Dated this

day of

18

SCHEDULE B.

DISPENSARY MEDICAL RELIEF.

NOTICE.

Any person who is entitled to vote for a member of Parliament, or who is
qualified to register as a voter, or who is in receipt of income sufficient to
enable him to pay for medical advice and medicine, is not entitled to dispensary
medical relief or medicine for himself or for any one dependent on him.

Should a ticket be granted to any such person it may be immediately
cancelled by the magistrates at petty sessions or dispensary committee; and
the person who has knowingly or wilfully issued it will then be liable to be
sued for the amount of the expenses of the medical officer's attendance and
medicines supplied.

Charities (Ireland).

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B I L L

To amend the law relating to Charities
in Ireland.

*(Prepared and brought in by
Mr. Molloy and Mr. Stengler.)*

Ordered, by The House of Commons, to be Printed,
17 February 1885.

[188, 78.]

Order 2. m.